

A M E N D E D

NO. 71839

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF  
NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office NOV 03 2004

Returned to applicant for correction DEC 07 2004

Corrected application filed DEC 13 2004

Map filed DEC 13 2004

The applicant **Pecetti Ranch Estates, LLC**, hereby makes application for permission to change the **Place of Use of a Portion** of water heretofore appropriated under **Claim 77 of the Truckee River Decree**, said Decree entered by the District Court of the United States for Nevada in that certain action entitled "**The United States of America, Plaintiff, vs, Orr Water Ditch Company, et al., Defendants**" in Equity Docket A-3

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1. The source of water is **the Truckee River**
2. The amount of water to be changed **0.3976 cfs but not to exceed 143.52 afa**
3. The water to be used for **as Decreed**
4. The water heretofore permitted for **as Decreed**
5. The water is to be diverted at the following point **within the NE $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 31, T.19N., R.18E., MDM, or at a point from which the SE corner of said Section 31 bears S. 62° 04' E, a distance of 3,195.0 feet. The Steamboat Canal per the Orr Ditch Decree**
6. The existing permitted point of diversion is located within
7. Proposed place of use **35.88 ac. within Pecetti Ranch Estates located within in the: SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 13, T.18N., R.19E., MDM; Lot 2 (SW $\frac{1}{4}$  NW $\frac{1}{4}$ ), NW $\frac{1}{4}$  SW $\frac{1}{4}$ , NE $\frac{1}{4}$  SW $\frac{1}{4}$ , SE $\frac{1}{4}$  SW $\frac{1}{4}$ , Lot 4 (SW $\frac{1}{4}$  SW $\frac{1}{4}$ ) of Section 18, T.18N., R.20E., MDM – including 3 common areas totaling 5.15 acres of, which 1.00 acres are ponds.**
8. Existing place of use **35.88 ac. as decreed: Section 13, T.18N., R.19E., MDM – SE $\frac{1}{4}$  NE $\frac{1}{4}$  4.09 ac; Section 18, T 18N., R.20E., MDM – Lot 2 (SW $\frac{1}{4}$  NW $\frac{1}{4}$ ) – 5.52 Ac., LOT 3 (NW $\frac{1}{4}$  SW $\frac{1}{4}$ ) 25.28 ac., NE $\frac{1}{4}$  SW $\frac{1}{4}$  0.99 Ac.**
9. Use will be from **as decreed to as decreed** of each year.
10. Use was permitted from **as decreed to as decreed** of each year.
11. Description of proposed works **Diversion works on headgate from Steamboat, Ditch (existing), open ditch to place of use.**
12. Estimated cost of works **\$25,000.00**
13. Estimated time required to construct works **five years**
14. Estimated time required to complete the application of water to beneficial use **seven years**
15. Remarks: **See attached Exhibit A.**

By **Ross de Lipkau, agent**  
s/ **Ross de Lipkau**  
**333 Holcomb Avenue, Suite 300**  
**Reno, Nv, 89502**

Compared aem/sam hcm/

Protested \_\_\_\_\_

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APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions: This permit to change the place of use of a portion of the waters of the Truckee River as heretofore granted under Claim 77, Truckee River Final Decree is issued subject to the terms and conditions imposed in said decree and with the understanding that no other rights on the source will be affected by the change proposed herein. A suitable measuring device must be installed and accurate measurements of water placed to beneficial use must be kept.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is limited to the irrigation of 35.88 acres within the described place of use and not to exceed an annual duty of 4.00 acre-feet per acre of land irrigated from any and/or All sources. The period of use is as decreed.

(CONTINUED ON PAGE 3)

The amount of water to be changed shall be limited to the amount, which can be applied to beneficial use, and not to exceed 0.398 cubic feet per second, but not to exceed 143.52 acre-feet as decreed.

Work must be prosecuted with reasonable diligence and be completed on or before:

May 18, 2007

Proof of completion of work shall be filed on or before:

June 18, 2007

Water must be placed to beneficial use on or before:

May 18, 2009

Proof of the application of water to beneficial use shall be filed on or before:

June 18, 2009

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set  
my hand and the seal of my office,

this 18<sup>th</sup> day of May, A.D. 2006

  
\_\_\_\_\_  
State Engineer

Completion of work filed \_\_\_\_\_

Proof of beneficial use filed \_\_\_\_\_

Cultural map filed \_\_\_\_\_

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_

**Exhibit A**  
**Remarks**

Pecetti Ranch Estates is a 90 acre gated community development of the old Pecetti Ranch in SW Reno off of Foothill Lane. The Applicant has acquired 200 acre feet of Steamboat Ditch water rights from the Pecetti Family and after dedication, has 143.82 acre feet remaining on 35.88 acres. There are three common areas with ponds. These common areas total 5.15 acres including 1.00 acres of ponds. These common areas will be maintained by a homeowners association and will require 20.6 acre feet of the 143.82 acre feet. The balance will be made available for those homeowners who want to irrigate additional acreage beyond what they would be allowed under domestic use. Since the exact location of these additional irrigated areas are not known at this time, the applicant is asking that the proposed place of use be the entire 90 acre development less the road right of ways. The applicant understands that the State Engineer will not allow more than 35.88 acres to be irrigated within the 79.06 acre proposed place of use (Pecetti Ranch Estates less roadways), nor more than 0.3976 cfs to be diverted from the Steamboat Canal. When all of the homeowners have developed their irrigated areas, aerial photogrammetry will be used to determine the total acreage.